

APPEAL NO. 022128
SEPTEMBER 26, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing (CCH) was held on July 26, 2002. The hearing officer determined that the respondent (claimant) sustained a compensable muscle strain to her cervical and lumbar spine on _____, and that the claimant has disability from the compensable injury beginning on _____, and continuing through the date of the CCH. The appellant (carrier) appeals and the claimant responds, urging affirmance.

DECISION

We affirm the hearing officer's decision.

The carrier contends the evidence is insufficient to support the hearing officer's decision and order. The claimant testified that she was injured at work on _____, as she attempted to gain control of bunk beds that were falling; that she immediately felt pain in her neck and low back; that the injury was reported to her employer; that she went home just after lunch because of the pain; that the following day she was very sore and she sought medical treatment; and that she has disability since the date of the injury. Further, the claimant offered medical records that indicated that she had been injured at work and that her doctors have placed work restrictions on her through the date of the CCH.

The hearing officer is the sole judge of the relevance, materiality, weight, and credibility of the evidence presented at the hearing. Section 410.165(a). In considering all the evidence in the record, we cannot agree that the findings of the hearing officer are so against the great weight and preponderance of the evidence as to be manifestly wrong and unjust. In re King's Estate, 150 Tex. 662, 244 S.W.2d 660 (1951). We therefore affirm the decision and order.

The true corporate name of the insurance carrier is **AMERICAN MANUFACTURERS MUTUAL INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**CORPORATION SERVICE COMPANY
800 BRAZOS
AUSTIN, TEXAS 78701.**

Susan M. Kelley
Appeals Judge

CONCUR:

Philip F. O'Neill
Appeals Judge

Margaret L. Turner
Appeals Judge